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12 *Attorneys for Defendant*  
13 *Silver State Schools Credit Union*

14

15 **UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 \* \* \*

18

RICHARD B. HOGUE,

19 Plaintiff,

20 vs.

21 ALLIED COLLECTION SERVICE, INC.;  
22 SELENE FINANCE, LLC; MOUNTAIN  
23 AMERICA CREDIT UNION; SILVER  
24 STATE SCHOOLS CREDIT UNION;  
25 IBEW PLUS CREDIT UNION; EQUIFAX  
INFORMATION SERVICES, LLC;  
EXPERIAN INFORMATION  
SOLUTIONS, INC.,

Defendants.

CASE NO. 2:16-cv-01620-JCM-VCF

**DEFENDANT SILVER STATE  
SCHOOL CREDIT UNION'S  
MOTION FOR ATTORNEY'S FEES**

26 Defendant SILVER STATE SCHOOLS CREDIT UNION ("SSSCU"), by and through  
27 its counsel Kolesar & Leatham, and hereby moves this Court for an award of its attorney's fees  
28 against the Plaintiff RICHARD B. HOGUE pursuant to 15 U.S.C. § 1681n(c).

SSSCU's Motion is made and based upon the attached Memorandum of Points and  
Authorities, the papers and pleadings on file in this matter, SSSCU's Motion for Summary  
Judgment filed July 10, 2017 (ECF No. 43), SSSCU's Opposition to Plaintiff's Motion for

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1 Summary Judgment filed July 31, 2017 (ECF No. 50), SSSCU's Reply to Plaintiff's Response to  
2 SSSCU's Motion for Summary Judgment (ECF No. 57), this Court's Order Granting the Motion  
3 for Summary Judgment (ECF No. 66), and any oral argument that this Court wishes to hear.

4 DATED this 21<sup>st</sup> day of February, 2018.

5 KOLESAR & LEATHAM

6 By \_\_\_\_\_  
7

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8  
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10  
11 *Wm M. Brooks*  
12 *Attorneys for Defendant*  
13 *Silver State Schools Credit Union*

14 **MEMORANDUM OF POINTS AND AUTHORITIES**

15 **I. INTRODUCTION**

16 In this Court's Order (ECF No. 66) granting summary judgment in favor of  
17 SSSCU, this Court found that there were no facts presented by the Plaintiff that would  
18 demonstrate that SSSCU violated the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* (the  
19 "FCRA"). Most significantly, it is undisputed that the Plaintiff never made a single request for  
20 credit during the relevant time in the pleadings on file in this matter which would have impacted  
21 any financial interest of the Plaintiff with respect to any alleged violation of the FCRA by  
22 SSSCU. In other words, Plaintiff pursued the instant litigation fully knowing that he could never  
23 claim that he was harmed by SSSCU. Therefore, the Plaintiff knew, or should have known, that  
24 he did not have a valid basis for any theory of recovery against SSSCU for violating the FCRA at  
25 the time he decided to institute this action. This means Plaintiff's action against SSSCU was  
26 filed in bad faith, warranting imposition of attorney's fees pursuant to 15 U.S.C. § 1681n(c).

27 **II. STATEMENT OF FACTS**

28 The Plaintiff Richard B. Hogue filed his Complaint on July 11, 2016 (ECF No. 3) against  
SSSCU and other defendants. The Complaint contained two causes of action, but the only cause

1 of action against SSSCU alleged violations of the FCRA. SSSCU then filed its Motion for  
 2 Summary Judgment one day short of a full year later (ECF No. 43) because there was no legal  
 3 nor factual basis for any claims against SSSCU. This Court granted SSSCU's motion<sup>1</sup> finding  
 4 that SSSCU's investigation was reasonable, SSSCU did not act willfully, and finally that  
 5 Plaintiff did not suffer any damages pursuant to the FCRA requirements.

6 Plaintiff alleged that SSSCU failed to properly investigate a credit dispute involving the  
 7 reporting of an auto loan he had with SSSCU that was discharged through bankruptcy. (ECF No.  
 8 42) Plaintiff made SSSCU aware of the discharge, and then SSSCU provided the updated  
 9 information to Defendant Experian, which is a consumer reporting agency. As stated in this  
 10 Court's order summarizing Plaintiff's claims: "Plaintiff asserts that Silver State's report  
 11 contradicts itself. Silver State reported that the account had been discharged in the bankruptcy,  
 12 that he still owed over \$14,000 on the auto loan and had not made payments in years, but also  
 13 that the account balance was \$0." (ECF No. 66)

14 This Court rejected all of the Plaintiff's arguments. This Court found that SSSCU  
 15 reviewed all of the relevant information regarding the dispute forwarded to it by Experian and  
 16 then made all of the changes as requested by the Plaintiff and then produced an automated credit  
 17 dispute verification that it sent to Experian. *Id.* While Plaintiff contended that the updated report  
 18 was not sent to a credit reporting agency, Trans Union, but SSSCU was able to demonstrate that  
 19 the updated credit report was automatically forwarded to Trans Union—hence any failure to  
 20 update information was due to the fault of Trans Union and not SSSCU<sup>2</sup>.

21 Plaintiff also complained that the credit report still included the delinquencies by the  
 22 Plaintiff in the credit history and that the collateral (the car) was surrendered. Plaintiff argued  
 23 that these entries should have been taken out of the history, but this Court expressly held that  
 24 SSSCU "is under no obligation to remove this accurate information from its report" because the  
 25 cited case law held that "Bankruptcy does not serve to rewrite history, but serves to prevent

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26 <sup>1</sup> Order filed on February 7, 2018 (ECF 66).

27 <sup>2</sup> Furthermore, this allegation of failure to notify Trans Union was late filed because it was not timely pled by the  
 28 Plaintiff. This Court agreed. *Id.*

1 continued collection activities.” *Id.*<sup>3</sup> This Court’s holding meant that SSSCU did not report  
 2 anything inaccurately.

3       This Court further held that because SSSCU did not violate the FCRA that there could be  
 4 no willfulness. *Id.* Finally, Plaintiff failed to show any damages because there was no violation  
 5 of the FCRA; furthermore, Plaintiff even failed to present a scintilla of evidence that any third-  
 6 party ever saw the disputed information found in the dispute results report. *Id.* What this means,  
 7 of course, is that even if there were a violation of the duty to investigate and report that liability  
 8 under FCRA is dependent on “whether a third-party sees a consumer report and makes a credit  
 9 decision based on that report.” *Id.* That means that Plaintiff went ahead and pursued litigation  
 10 against SSSCU fully knowing that he suffered no harm as a result of SSSCU. The Plaintiff  
 11 made no attempt to secure credit in which the SSSCU reporting would play a role; furthermore,  
 12 Plaintiff was not denied credit or suffered any harm due to the SSSCU reporting.

13       The Plaintiff’s deposition provides further proof that there was no basis for the filing of  
 14 the instant action. He was meticulously asked about all aspects of his consumer report from  
 15 SSSCU information contained any inaccurate information. He responded that there was nothing  
 16 inaccurate except for his belief that the actual history of his loan with SSSCU should not be  
 17 included after the bankruptcy discharged<sup>4</sup>. The only relevant time period for this matter in which  
 18 it appears that credit was sought the Plaintiff did not include himself (which would include the  
 19 SSSCU credit history) but only had his wife on the application due to his prior bankruptcy—  
 20 which demonstrates that the SSSCU credit history played no role in harming or damaging his  
 21 credit rating or history<sup>5</sup>.

22       In spite of Plaintiff’s lack of any factual nor legal basis for imposing liability against  
 23 SSSCU, Plaintiff did not accept the Offer of Judgment served on it by SSSCU on January 13,  
 24 2017. (Exhibit B to this Motion).

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25       <sup>3</sup> This Court further held that Plaintiff failed to dispute the account balances in his original dispute letter, which is a  
 26 further reason why SSSCU was under no obligation to investigate or correct this purported error. *Id.*

27       <sup>4</sup> Deposition of Richard Bronson Hogue, taken on February 10, 2017, page 145. References in this brief to the  
 Plaintiff’s deposition are attached hereto as Exhibit A.

28       <sup>5</sup> Deposition of Richard Bronson Hogue, page 319.

1           Exhibit C to this Motion is a compilation of the legal fees in this matter<sup>6</sup> while Exhibit D  
 2 is the affirmation of moving counsel explaining the justification for the legal fees claimed and  
 3 authenticating Exhibits A, B and C.

4 **III. ARGUMENT**

5           15 U.S.C. § 1681n(c) provides the legal basis upon which Plaintiff is required to  
 6 compensate SSSCU for its attorney's fees in this matter:

7           Upon a finding by the court that an unsuccessful pleading, motion, or other paper  
 8 filed in connection with an action under this section was filed in bad faith or for  
 9 purposes of harassment, the court shall award to the prevailing party attorney's  
 fees reasonable in relation to the work expended in responding to the pleading,  
 motion, or other paper.

10          The Offer of Judgment in this matter was based upon the Federal Rules of Civil  
 11 Procedure 68. The decision in *MRO Communications, Inc. v. American Tel. & Tel. Co.*, 197  
 12 F.3d 1276, 1280 (9<sup>th</sup> Cir. 1999) provides guidance with respect to why 15 U.S.C. § 1681n(c) and  
 13 Federal Rules of Civil Procedure 68 provide sufficient legal authority for this Court to award  
 14 SSSCU attorney's fees in this matter:

15          Federal Rule 68 provides notice that if the judgment awarded to the plaintiff is  
 16 less than the offer made by the defendant, the plaintiff "must pay the costs  
 17 incurred after the making of the offer." The term "costs" is not defined in Federal  
 18 Rule 68. The Supreme Court interpreted the word "costs" as used in Federal Rule  
 19 68 in *Marek v. Chesny*, 473 U.S. 1, 105 S.Ct. 3012, 87 L.Ed.2d 1 (1985). The  
 20 Court first explained that "under the 'American Rule,' each party had been  
 21 required to bear its own attorney's fees." *Id.* at 8, 105 S.Ct. 3012. The Court  
 22 noted, however, that there are exceptions to the "American Rule." "[M]ost of the  
 23 exceptions were found in federal statutes that directed courts to award attorney's  
 24 fees as part of costs in particular cases." *Id.* (citing *Alyeska Pipeline Serv. Co. v. Wilderness Society*, 421 U.S. 240, 260–261, 95 S.Ct. 1612 (1975)). The Court  
 25 concluded in *Marek* that "the most reasonable inference is that the term 'costs' in  
 Rule 68 was intended to refer to all costs properly awardable under the relevant  
 substantive statute or other authority." *Id.* at 9, 105 S.Ct. 3012. The Court held in  
*Marek* that attorneys' fees are included in the word "costs" in Federal Rule 68 in  
 actions filed pursuant to 42 U.S.C. § 1983 because § 1988 expressly provides that  
 a prevailing party may be awarded attorneys' fees as part of the costs. *Id.* In  
*United States v. Trident Seafoods Corp.*, 92 F.3d 855 (9th Cir.1996), we held that  
 "[t]he term 'costs' in Rule 68 is intended to refer to all costs properly awardable  
 under the relevant substantive statute." *Id.* at 860 (citing *Marek v. Chesny*, 473  
 U.S. 1, 9, 105 S.Ct. 3012, 87 L.Ed.2d 1 (1985)).

26  
 27          

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 28          <sup>6</sup> The legal descriptions of the work performed are not included because they contain attorney work product  
 describing the work performed and this matter is still moving forward due to the Plaintiff's filing a Notice of  
 Appeal.

1       Therefore, because 15 U.S.C. § 1681n(c) provides for an award of attorney's fees in this  
 2 matter involving a FCRA claim, then the Plaintiff's failure to accept the Offer of Judgment more  
 3 than one year ago and then obtaining a result less favorable as a result justifies imposition of  
 4 attorney's fees in this matter.

5       Even without the Offer of Judgment, SSSCU would be entitled to its attorney's fees in  
 6 this matter. As the court in *Mayle v. Equifax Information Services, Inc.*, 2006 WL 8424343  
 7 (N.D.Ill. 2006) held, the defendants in a FCRA case may be entitled to an award of attorney's  
 8 fees. In *Mayle*, the plaintiff applied for a student loan, which was approved and the proceeds of  
 9 the loan were put into her account. Ten years later, she learned from her credit report that she  
 10 still owed money from that loan. She contested this with the company that loaned her the money  
 11 as well as with Trans Union, LLC and Experian Information Solutions, Inc. When these  
 12 defendants found that the proceeds of the loan were deposited into her account, then the  
 13 defendants made a written demand that the plaintiff dismiss all her claims, which she did. They  
 14 then moved for attorney's fees the plaintiff had pursued that litigation in bad faith, and the court  
 15 granted the motion.

16       SSSCU likewise moves for an award of its attorney's fees in this matter. As outlined  
 17 above and succinctly stated in this Court's Order (ECF No. 66), there is absolutely no basis upon  
 18 which Plaintiff could maintain a claim against SSSCU for violation of the FCRA. Most  
 19 significantly, Plaintiff had no evidence that any third-party ever saw the credit report that was  
 20 allegedly harming his credit rating. Without that basic fact, there could be no violation of the  
 21 FCRA and no basis for any harm or damages. Next, the credit report supplied by SSSCU did not  
 22 have any errors. Therefore, there was simply no basis for bringing this action and it was simply  
 23 in bad faith for SSSCU to have to defend this matter and especially egregious for the Plaintiff to  
 24 not accept the Offer of Judgment served one year ago when there was no basis for recovery in  
 25 this matter.

26       In *Goodyear Tire & Rubber Co. v. Haeger*, 137 S.Ct. 1178, 1188, 197 L.Ed.2d 585  
 27 (2017), The United States Supreme Court directed that "If a plaintiff initiates a case in complete  
 28 //

1 bad faith, so that every cost of defense is attributable only to sanctioned behavior, the court may  
2 again make a blanket award" imposing a requirement to pay all of the other side's legal fees.

3 Dated this 21<sup>st</sup> day of February, 2018.

4 KOLESAR & LEATHAM

5 By \_\_\_\_\_  
6

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8 Nevada Bar No. 007287

9 DAVID R. CLAYSON, Esq.  
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11 400 South Rampart Boulevard  
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14 *Attorneys for Defendant*  
15 *Silver State Schools Credit Union*

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## CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Kolesar & Leatham, and that on the 21<sup>st</sup> day of February, 2018, I caused to be served a true and correct copy of foregoing **DEFENDANT SILVER STATE SCHOOL CREDIT UNION'S MOTION FOR ATTORNEY'S FEES** in the following manner:

(ELECTRONIC SERVICE) Pursuant to Rule 5-4 of the Local Rules of Civil Practice of the United States District Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities upon the following:

- **V. R. Bohman** - vbohman@swlaw.com, lluxford@swlaw.com, jforrest@swlaw.com, docket\_las@swlaw.com
  - **Michael R Brooks** - mbrooks@klnevada.com, ckishi@klnevada.com, usdistrict@klnevada.com
  - **Miles N Clark** - miles.clark@knepperclark.com, efiling@knepperclark.com
  - **Lindsay C Demaree** - demareel@ballardspahr.com, lvocket@ballardspahr.com, carltonm@ballardspahr.com, vigila@ballardspahr.com, costellomc@ballardspahr.com
  - **Charles E Gianelloni** - cgianelloni@swlaw.com, mfull@swlaw.com, docket\_las@swlaw.com, jvelarde@swlaw.com, jmath@swlaw.com
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  - **Robert S. Larsen** - rlarsen@gordonrees.com, bwalters@grsm.com, , gangulo@gordonrees.com, rwise@gordonrees.com, mogella@gordonrees.com, sowens@grsm.com, psu@gordonrees.com, wwong@gordonrees.com, pprice@gordonrees.com
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  - **Allison R. Schmidt** - allisonschmidtesq@gmail.com
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An Employee of KOLESAR & LEATHAM

## **EXHIBIT “A”**

**EXHIBIT “A”**

16 DEPOSITION OF RICHARD BRONSON HOGUE  
17 LAS VEGAS, NEVADA  
18 FEBRUARY 10, 2017

23       Reported By: LISA MAKOWSKI, CCR 345, CA CSR 13400  
24       JOB NO: 2507258  
25       Pages 1 - 326

1                   THE WITNESS: I have no idea.

2 BY MR. HERNANDEZ:

3                   Q. Do you have any facts to contradict that  
4 the vehicle was voluntarily surrendered in March of  
5 2010?

6                   MR. CLARK: Objection; calls for a legal  
7 conclusion and assumes that, you know, other  
8 evidence could not be produced in this case  
9 pursuant to the court's scheduling order.

10                  So answer if you can.

11                  THE WITNESS: No, I don't have any facts.

12 BY MR. HERNANDEZ:

13                  Q. Okay. Mr. Hogue, we have gone over this.  
14 And what is inaccurate about this credit report?

15                  MR. CLARK: Objection; vague and calls  
16 for a legal conclusion.

17                  THE WITNESS: I don't know exactly what's  
18 inaccurate about it. I just -- I know that it was  
19 included in my bankruptcy.

20                  MR. HERNANDEZ: Okay. All right. Let's  
21 go to lunch.

22                  (A lunch recess was taken.)

23                  MR. HERNANDEZ: We are back on the  
24 record. Let's go.

25 / / /

1 home.

2 MR. HERNANDEZ: Objection as to  
3 relevance.

4 THE WITNESS: Correct.

5 BY MR. CLARK:

6 Q. And so what -- what did -- what were the  
7 reasons given that you couldn't be on that -- on  
8 that mortgage application?

9 A. I believe they said it was because a  
10 bankruptcy was still in my credit history and there  
11 has to be X amount of years outside of that to be  
12 able to be put on the loan for a home.

13 Q. And you may not -- you may not recall,  
14 but do you recall how many -- how many years that  
15 is, how many years they explained?

16 A. Well, they said depending on the type of  
17 loan, FHA or whatever the different versions out  
18 there, I think they said it was either five or  
19 seven years.

20 Q. When they say -- but you're not sure?

21 A. No, I'm not positive.

22 Q. Just want to make sure I've got  
23 everything, so I know.

24 A. Last thing. Do you recall being shown  
25 some discovery requests? And this is -- I believe

## **EXHIBIT “B”**

**EXHIBIT “B”**

1 Michael R. Brooks, Esq.  
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3 mbrooks@brookshubley.com  
4 Ramir M. Hernandez, Esq.  
5 Nevada Bar No. 13146  
6 rhernandez@brookshubley.com  
7 BROOKS HUBLEY, LLP  
8 1645 Village Center Circle, Suite 60  
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10 Tel: (702) 851-1191 | Fax: (702) 851-1198  
11 *Attorneys for Defendant Silver State Schools Credit Union*

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 RICHARD B. HOGUE,

Case No.: 2:16-cv-01620

10 Plaintiff,

11 v.

**DEFENDANT SILVER STATE  
SCHOOLS CREDIT UNION'S  
OFFER OF JUDGMENT**

12 ALLIED COLLECTION SERVICE, INC;  
13 SELENE FINANCE, LLC; MOUNTAIN  
14 AMERICA CREDIT UNION; SILVER  
15 STATE SCHOOLS CREDIT UNION;  
16 IBEW PLUS CREDIT UNION; EQUIFAX  
17 INFORMATION SERVICES, LLC;  
18 EXPERIAN INFORMATION SOLUTIONS,  
19 INC.

Defendants.

TO: Richard Hogue, Plaintiff

David H. Krieger, Esq.  
Haines & Krieger, LLC  
8985 S. Eastern Ave., Suite 350  
Henderson, Nevada 89123

Matthew I. Knepper, Esq.  
Miles N. Clark, Esq.  
Knepper & Clark LLC  
10040 W. Cheyenne Ave., Suite 170-109  
Las Vegas, NV 89129

1 Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Silver State  
2 Schools Credit Union, a state chartered credit union, hereby offers to allow Judgment to be  
3 entered against it in this action in the amount of \$1,500.00 including all of Plaintiff's claims  
4 for relief.

5 This offer of judgment is made for the purposes specified in Federal Rule of Civil  
6 Procedure 68, and is not to be construed as either an admission that Defendant Schools Credit  
7 Union is liable in this action , or that the Plaintiff, Richard Hogue, has suffered any damage.

8 If Plaintiff does not accept this offer, he may become obligated to pay Defendant Silver  
9 State Schools Credit Union's costs incurred after the making of this offer in the event that he  
10 does not recover a judgment that is more favorable than this offer of judgment pursuant to  
11 Rule 68(d) of the Federal Rules of Civil Procedure.

12 To accept this offer, Plaintiff must serve written notice of this offer within fourteen (14)  
13 days of the date this offer is made.

14 This Offer of Judgment will not be filed with this Court unless (a) accepted or (b) in a  
15 proceeding to determine costs.

16 DATE: January 13, 2017.

17 BROOKS HUBLEY, LLP

18 By: /s/Ramir M. Hernandez  
19 Michael R. Brooks, Esq.  
20 Ramir M. Hernandez, Esq.  
21 *Attorneys for Defendant SSSCU*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of January, 2017, I served the above and  
foregoing **DEFENDANT SILVER STATE SCHOOLS CREDIT UNION'S OFFER OF  
JUDGMENT** on the following parties that have appeared in this matter, via U.S. Mail,  
First Class.

David H. Krieger, Esq.  
**HAINES & KRIEGER, LLC**  
8985 South Eastern Avenue, Suite 350  
Henderson, Nevada 89123  
*Attorney for Plaintiff*

Miles N. Clark, Esq.  
**KNEPPER & CLARK LLC**  
10040 W. Cheyenne Ave.  
Suite 170-109  
Las Vegas,, NV 89129  
*Attorney for Plaintiff*

By: /s/JoLynne Shaffer  
An Employee of Brooks Hubley, LLP

**BROOKS HUBLEY, LLP**  
1645 VILLAGE CENTER CIRCLE, SUITE 60, LAS VEGAS, NV 89134  
TELEPHONE: (702) 551-1191 FAX: (702) 851-1198

## EXHIBIT “C”

EXHIBIT “C”

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702)851-1191

Statement as of July 31, 2016  
 Invoice No: 15036

Silver State Schools Credit Union

Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
7/21/2016	RMH	2.30	195.00	448.50

7/21/2016	ACV	0.80	250.00	200.00
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7/21/2016	MRB	0.50	325.00	162.50
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7/22/2016	RMH	1.80	195.00	351.00
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Sub-total Fees:                  1,162.00

Rami Hernandez	4.10 hours at \$ 195.00/hr	799.50
Ace C. Van Patten	0.80 hours at \$ 250.00/hr	200.00

Brooks Hubley LLP

Page: 2

Michael Brooks	0.50 hours at \$ 325.00/hr	162.50
Total hours:	<u>5.40</u>	

<b>Statement Total</b>	1,162.00
Total Payments	0.00
Courtesy Discount:	0.00
<b>Total Now Due:</b>	<b>1,162.00</b>

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
1,162.00	0.00	0.00	0.00	0.00

Payment is Due Upon Receipt

Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP

Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of August 31, 2016  
 Invoice No: 15182

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>			Hours	Rate	Amount
8/1/2016	RMH		0.20	195.00	39.00
8/2/2016	RMH		0.70	195.00	136.50
8/3/2016	RMH		1.20	195.00	234.00
8/3/2016	MRB		0.40	325.00	130.00
8/10/2016	RMH		1.20	195.00	234.00
8/12/2016	RMH		0.30	195.00	58.50
8/12/2016	MRB		0.40	325.00	130.00
8/15/2016	RMH		0.60	195.00	117.00
8/15/2016	MRB		0.40	325.00	130.00
8/24/2016	RMH		0.30	195.00	58.50

Brooks Hubley LLP

Page: 2

8/25/2016	RMH	0.60	195.00	117.00
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Sub-total Fees: 1,384.50

Rami Hernandez	5.10 hours at \$ 195.00/hr	994.50
Michael Brooks	1.20 hours at \$ 325.00/hr	390.00
Total hours:	<u>6.30</u>	

Expenses		Units	Price	Amount
8/24/2016	Postage.	2.00	0.80	1.60
				Sub-total Expenses: <u>1.60</u>

**Payments**

9/19/2016	Payment	Check No. 00-0200047309	1,162.00
			Sub-total Payments: <u>1,162.00</u>

<b>Statement Total</b>	1,386.10
<b>Total Payments</b>	1,162.00
<b>Courtesy Discount:</b>	0.00
<b>Total Now Due:</b>	1,386.10

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
1,386.10	0.00	0.00	0.00	0.00

Payment is Due Upon Receipt  
Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP  
Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of September 30, 2016  
 Invoice No: 15243

Silver State Schools Credit Union

Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>			Hours	Rate	Amount
9/3/2016	RMH		1.20	195.00	234.00
9/6/2016	RMH		3.60	195.00	702.00
9/6/2016	MRB		0.40	325.00	130.00
9/8/2016	MRB		0.20	325.00	65.00
9/12/2016	RMH		0.50	195.00	97.50
9/14/2016	RMH		0.20	195.00	39.00
9/15/2016	MRB		0.60	325.00	195.00
9/19/2016	MRB		0.30	325.00	97.50
9/20/2016	RMH		2.20	195.00	429.00
9/21/2016	RMH		0.60	195.00	117.00

**Brooks Hubley LLP**

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9/22/2016	RMH	0.80	195.00	156.00
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9/27/2016	MRB	0.40	325.00	130.00
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9/28/2016	RMH	1.10	195.00	214.50
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9/28/2016	MRB	0.30	325.00	97.50
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9/30/2016	RMH	2.10	195.00	409.50
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Sub-total Fees: 3,113.50

Rami Hernandez	12.30 hours at \$ 195.00/hr	2,398.50
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Michael Brooks	2.20 hours at \$ 325.00/hr	715.00
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Total hours:	<u>14.50</u>
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<b>Expenses</b>	Units	Price	Amount
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9/15/2016	Postage.	4.00	3.46	13.84
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Sub-total Expenses: 13.84

#### **Payments**

10/12/2016	Payment	Check No. 00-0200047516	1,386.10
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Sub-total Payments: 1,386.10

Brooks Hubley LLP

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<b>Statement Total</b>	3,127.34
Total Payments	1,386.10
Courtesy Discount:	0.00
<b>Total Now Due:</b>	3,127.34

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
3,127.34	0.00	0.00	0.00	0.00

Payment is Due Upon Receipt

Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP

Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of October 31, 2016  
 Invoice No: 15352

Silver State Schools Credit Union

Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>			Hours	Rate	Amount
10/1/2016	RMH		1.00	195.00	195.00
10/3/2016	RMH		0.40	195.00	78.00
10/4/2016	RMH		0.20	195.00	39.00
10/5/2016	RMH		1.30	195.00	253.50
10/5/2016	MRB		0.50	325.00	162.50
10/10/2016	RMH		0.30	195.00	58.50
10/17/2016	RMH		0.20	195.00	39.00
10/18/2016	RMH		0.40	195.00	78.00
10/18/2016	MRB		0.20	325.00	65.00
10/19/2016	RMH		0.20	195.00	39.00

**Brooks Hubley LLP**

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10/24/2016	MRB	0.20	325.00	65.00
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10/27/2016	RMH	0.50	195.00	97.50
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10/27/2016	MRB	0.30	325.00	97.50
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10/29/2016	RMH	0.20	195.00	39.00
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10/31/2016	RMH	0.80	195.00	156.00
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10/31/2016	MRB	0.50	325.00	162.50
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Sub-total Fees: 1,625.00

Rami Hernandez	5.50 hours at \$ 195.00/hr	1,072.50
Michael Brooks	1.70 hours at \$ 325.00/hr	552.50
Total hours:	<u>7.20</u>	

<b>Expenses</b>		Units	Price	Amount
10/19/2016	Postage.	3.00	1.36	4.08
		Sub-total Expenses:		<u>4.08</u>

Brooks Hubley LLP

Page: 3

<b>Statement Total</b>	1,629.08
<b>Total Payments</b>	0.00
<b>Courtesy Discount:</b>	0.00
<b>Total Now Due:</b>	4,756.42

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
4,756.42	0.00	0.00	3,127.34	0.00

Payment is Due Upon Receipt

Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP

Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of November 30, 2016  
 Invoice No: 15420

Silver State Schools Credit Union

Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
11/7/2016	RMH	0.20	195.00	39.00
11/14/2016	RMH	1.10	195.00	214.50
11/14/2016	MRB	0.30	325.00	97.50
11/15/2016	MRB	0.20	325.00	65.00
11/21/2016	RMH	0.20	195.00	39.00
11/29/2016	RMH	0.40	195.00	78.00
11/29/2016	ACV	0.20	250.00	50.00

Brooks Hubley LLP

Page: 2

Sub-total Fees: 583.00

Rami Hernandez	1.90 hours at \$ 195.00/hr	370.50
Ace C. Van Patten	0.20 hours at \$ 250.00/hr	50.00
Michael Brooks	0.50 hours at \$ 325.00/hr	162.50
Total hours:	<u>2.60</u>	

<b>Statement Total</b>	583.00
Total Payments	0.00
Courtesy Discount:	0.00
<b>Total Now Due:</b>	<b>5,339.42</b>

## Total Due Aging Statement

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
5,339.42	1,629.08	0.00	0.00	3,127.34

Payment is Due Upon Receipt  
 Tax ID Number: 27-0289494  
 Please Make Checks to Brooks Hubley LLP  
 Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of November 30, 2016  
 Invoice No: 15476

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
11/15/2016	RMH	0.20	195.00	39.00
11/28/2016	MRB	0.20	325.00	65.00
		Sub-total Fees:		
				104.00
Rami Hernandez		0.20 hours at \$ 195.00/hr		39.00
Michael Brooks		0.20 hours at \$ 325.00/hr		65.00
Total hours:		<u>0.40</u>		
			<b>Statement Total</b>	104.00
			Total Payments	0.00
			Courtesy Discount:	0.00
			<b>Total Now Due:</b>	5,443.42

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
5,443.42	2,212.08	0.00	0.00	3,127.34

Payment is Due Upon Receipt  
 Tax ID Number: 27-0289494  
 Please Make Checks to Brooks Hubley LLP  
 Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of December 31, 2016  
 Invoice No: 15577

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121  
 1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
12/7/2016	RMH	1.20	195.00	234.00
12/7/2016	ACV	0.80	250.00	200.00
12/7/2016	MRB	0.30	325.00	97.50
12/8/2016	RMH	0.30	195.00	58.50
12/9/2016	MRB	0.20	325.00	65.00
12/13/2016	RMH	0.20	195.00	39.00
12/14/2016	RMH	0.20	195.00	39.00
12/15/2016	RMH	0.30	195.00	58.50

Brooks Hubley LLP

Page: 2

12/19/2016	NL	0.40	135.00	54.00
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Sub-total Fees:	<u>845.50</u>
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Rami Hernandez	2.20 hours at \$ 195.00/hr	429.00
Nicole Lane	0.40 hours at \$ 135.00/hr	54.00
Ace C. Van Patten	0.80 hours at \$ 250.00/hr	200.00
Michael Brooks	0.50 hours at \$ 325.00/hr	162.50
Total hours:	<u>3.90</u>	

Expenses		Units	Price	Amount
12/19/2016	Postage.	3.00	0.47	1.41
		Sub-total Expenses:		<u>1.41</u>

Payments			
1/17/2017	Payment	Check No. 00-0200048132	1,629.08
1/17/2017	Payment	Check No. 00-0200048131	104.00
1/23/2017	Payment	Check No. 00-0200048231	583.00
		Sub-total Payments:	<u>2,316.08</u>

Statement Total	846.91
Total Payments	2,316.08
Courtesy Discount:	0.00
Total Now Due:	3,974.25

Total Due Aging Statement				
	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
Total Due 3,974.25	0.00	3,127.34	0.00	0.00

Payment is Due Upon Receipt  
 Tax ID Number: 27-0289494  
 Please Make Checks to Brooks Hubley LLP  
 Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702)851-1191

Statement as of January 31, 2017  
 Invoice No: 15681

Silver State Schools Credit Union

Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
1/3/2017	MRB	0.20	325.00	65.00
1/9/2017	RMH	0.20	195.00	39.00
1/11/2017	ACV	0.20	250.00	50.00
1/11/2017	RMH	0.90	195.00	175.50
1/12/2017	RMH	0.80	195.00	156.00
1/13/2017	NL	0.40	135.00	54.00
1/13/2017	RMH	2.90	195.00	565.50

**Brooks Hubley LLP**

Page: 2

1/16/2017	RMH	0.90	195.00	175.50
1/17/2017	MRB	0.20	325.00	65.00
1/17/2017	RMH	1.80	195.00	351.00
1/18/2017	MRB	0.30	325.00	97.50
1/18/2017	RMH	1.10	195.00	214.50
1/19/2017	RMH	0.40	195.00	78.00
1/30/2017	MRB	0.40	325.00	130.00
1/30/2017	RMH	1.10	195.00	214.50
1/31/2017	RMH	0.80	195.00	156.00

Sub-total Fees:                  2,587.00

Rami Hernandez

10.90 hours at \$ 195.00/hr

2,125.50

**Brooks Hubley LLP**

Page: 3

Nicole Lane	0.40 hours at \$ 135.00/hr	54.00
Ace C. Van Patten	0.20 hours at \$ 250.00/hr	50.00
Michael Brooks	1.10 hours at \$ 325.00/hr	357.50
Total hours:	<u>12.60</u>	

**Expenses**

		Units	Price	Amount
1/13/2017	Postage.	2.00	0.47	0.94
1/17/2017	Postage.	2.00	1.26	2.52
1/30/2017	Postage.	5.00	0.57	2.85
	Sub-total Expenses:			<u>6.31</u>

**Payments**

1/27/2017	Payment	Check No. 00-0200048283	3,127.34
2/6/2017	Payment	Check No. 00-0200048370	846.91
	Sub-total Payments:		<u>3,974.25</u>

<b>Statement Total</b>	2,593.31
<b>Total Payments</b>	3,974.25
<b>Courtesy Discount:</b>	0.00
<b>Total Now Due:</b>	2,593.31

**Total Due Aging Statement**

Total Due	Less than 30 Days 2,593.31	30 Days Past Due 0.00	60 Days Past Due 0.00	90+ days past due 0.00
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Payment is Due Upon Receipt

Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP

Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of February 28, 2017  
 Invoice No: 15720

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
2/1/2017	MRB	1.10	325.00	357.50
2/1/2017	RMH	3.10	195.00	604.50
2/2/2017	MRB	0.40	325.00	130.00
2/2/2017	RMH	1.70	195.00	331.50
2/3/2017	NL	0.50	135.00	67.50
2/3/2017	RMH	8.00	195.00	1,560.00
2/6/2017	MRB	0.20	325.00	65.00

**Brooks Hubley LLP**

Page: 2

2/7/2017	RMH	1.80	195.00	351.00
2/8/2017	MRB	0.30	325.00	97.50
2/8/2017	RMH	0.40	195.00	78.00
2/9/2017	MRB	0.40	325.00	130.00
2/9/2017	NL	0.40	135.00	54.00
2/9/2017	RMH	2.90	195.00	565.50
2/10/2017	RMH	7.00	195.00	1,365.00
2/14/2017	RMH	0.20	195.00	39.00
2/21/2017	RMH	0.30	195.00	58.50
2/22/2017	MRB	0.20	325.00	65.00
2/22/2017	NL	0.90	135.00	121.50
2/22/2017	RMH	0.50	195.00	97.50

Brooks Hubley LLP

Page: 3

2/23/2017	RMH	0.40	195.00	78.00
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2/27/2017	RMH	0.20	195.00	39.00
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Sub-total Fees: 6,255.50

Rami Hernandez	26.50 hours at \$ 195.00/hr	5,167.50
Nicole Lane	1.80 hours at \$ 135.00/hr	243.00
Michael Brooks	2.60 hours at \$ 325.00/hr	845.00
Total hours:	<u>30.90</u>	

<b>Expenses</b>		Units	Price	Amount
2/2/2017	Postage.	2.00	2.24	4.48
2/3/2017	Postage.	2.00	2.66	5.32
2/6/2017	Process Service.	1.00	65.00	65.00
2/8/2017	Witness Fee.	1.00	52.84	52.84
2/9/2017	Postage.	4.00	0.80	3.20
2/16/2017	Postage.	3.00	3.50	10.50
2/17/2017	Process Service.	1.00	58.12	58.12
2/17/2017	Process Service.	1.00	65.00	65.00
2/20/2017	Deposition.	1.00	1,465.10	1,465.10
				Sub-total Expenses: <u>1,729.56</u>

**Payments**

3/10/2017	Payment	Check No. 00-0200048642	2,593.31
		Sub-total Payments:	<u>2,593.31</u>

Brooks Hubley LLP

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<b>Statement Total</b>	7,985.06
Total Payments	2,593.31
Courtesy Discount:	0.00
<b>Total Now Due:</b>	7,985.06

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
7,985.06	0.00	0.00	0.00	0.00

Payment is Due Upon Receipt

Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP

Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of March 31, 2017  
 Invoice No: 15816

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
3/2/2017	RMH	0.20	195.00	39.00
3/14/2017	MRB	0.30	325.00	97.50
3/14/2017	RMH	1.40	195.00	273.00
3/15/2017	RMH	0.20	195.00	39.00
3/17/2017	RMH	0.20	195.00	39.00
3/21/2017	MRB	0.40	325.00	130.00
3/22/2017	RMH	0.50	195.00	97.50

Brooks Hubley LLP

Page: 2

Sub-total Fees: 715.00

Rami Hernandez	2.50 hours at \$ 195.00/hr	487.50
Michael Brooks	0.70 hours at \$ 325.00/hr	227.50
Total hours:	<u>3.20</u>	

**Expenses**

		Units	Price	Amount
3/2/2017	Postage.	3.00	0.46	1.38
3/9/2017	Deposition.	1.00	2,303.35	2,303.35
3/31/2017	Delivery.	1.00	65.00	65.00
	Sub-total Expenses:			<u>2,369.73</u>

<b>Statement Total</b>	3,084.73
Total Payments	0.00
Courtesy Discount:	0.00
<b>Total Now Due:</b>	11,069.79

**Total Due Aging Statement**

Total Due 11,069.79	Less than 30 Days 0.00	30 Days Past Due 0.00	60 Days Past Due 7,985.06	90+ days past due 0.00
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Payment is Due Upon Receipt  
Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP  
Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702)851-1191

Statement as of April 30, 2017  
 Invoice No: 15926

Silver State Schools Credit Union

Tracy Meyer

4221 S McLeod Dr

Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620

Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
4/3/2017	MRB	0.30	325.00	97.50
4/3/2017	RMH	0.10	195.00	19.50
4/4/2017	RMH	0.20	195.00	39.00
4/10/2017	RMH	0.50	195.00	97.50
4/14/2017	RMH	0.30	195.00	58.50
4/18/2017	RMH	0.10	195.00	19.50
Sub-total Fees:				331.50
Rami Hernandez		1.20 hours at \$ 195.00/hr		234.00
Michael Brooks		0.30 hours at \$ 325.00/hr		97.50
Total hours:		1.50		

**Payments**

5/1/2017	Payment	Check No. 00-0200049057	3,084.73
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Brooks Hubley LLP

Page: 2

5/16/2017	Payment	Check No. 00-0200049174	7,985.06
		Sub-total Payments:	<u>11,069.79</u>

<b>Statement Total</b>	331.50
Total Payments	11,069.79
Courtesy Discount:	0.00
<b>Total Now Due:</b>	<b>331.50</b>

## Total Due Aging Statement

Total Due 331.50	Less than 30 Days 0.00	30 Days Past Due 0.00	60 Days Past Due 0.00	90+ days past due 0.00
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Payment is Due Upon Receipt  
 Tax ID Number: 27-0289494  
 Please Make Checks to Brooks Hubley LLP  
 Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of May 31, 2017  
 Invoice No: 16078

Silver State Schools Credit Union

Tracy Meyer

4221 S McLeod Dr

Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620

Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
5/2/2017	NL	0.40	135.00	54.00
5/2/2017	RMH	0.20	195.00	39.00
5/12/2017	RMH	0.20	195.00	39.00
5/22/2017	MRB	0.10	325.00	32.50
5/23/2017	RMH	1.00	195.00	195.00
5/30/2017	RMH	1.60	195.00	312.00
5/31/2017	RMH	2.10	195.00	409.50
Sub-total Fees:				<u>1,081.00</u>
Rami Hernandez	5.10 hours at \$ 195.00/hr			994.50
Nicole Lane	0.40 hours at \$ 135.00/hr			54.00
Michael Brooks	0.10 hours at \$ 325.00/hr			32.50
Total hours:	<u>5.60</u>			

Brooks Hubley LLP

Page: 2

**Payments**

5/1/2017	Payment	Check No. 00-0200049057	3,084.73
6/7/2017	Payment	Check No. 00-0200049295	331.50
		Sub-total Payments:	<hr/> 3,416.23

<b>Statement Total</b>	1,081.00
<b>Total Payments</b>	3,416.23
<b>Courtesy Discount:</b>	0.00
<b>Total Now Due:</b>	1,081.00

**Total Due Aging Statement**

Total Due 1,081.00	Less than 30 Days 0.00	30 Days Past Due 0.00	60 Days Past Due 0.00	90+ days past due 0.00
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Payment is Due Upon Receipt

Tax ID Number: 27-0289494

Please Make Checks to Brooks Hubley LLP

Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of June 30, 2017  
 Invoice No: 16107

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
6/1/2017	RMH	0.50	195.00	97.50
6/8/2017	MRB	0.40	325.00	130.00
6/8/2017	RMH	0.90	195.00	175.50
6/12/2017	MRB	0.40	325.00	130.00
6/12/2017	RMH	2.10	195.00	409.50
6/15/2017	MRB	0.20	325.00	65.00

Sub-total Fees:                  1,007.50

Rami Hernandez	3.50 hours at \$ 195.00/hr	682.50
Michael Brooks	1.00 hours at \$ 325.00/hr	325.00
Total hours:	<u>                </u> 4.50	

**Payments**

7/17/2017	Payment	Check No. 00-0200049605	1,081.00
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**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of July 31, 2017  
 Invoice No: 16245

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121  
 1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
7/5/2017	RMH	1.10	195.00	214.50
7/6/2017	RMH	2.00	195.00	390.00
7/7/2017	RMH	2.00	195.00	390.00
7/10/2017	MRB	1.20	325.00	390.00
7/10/2017	RMH	1.50	195.00	292.50
7/27/2017	RMH	0.90	195.00	175.50
7/28/2017	RMH	2.50	195.00	487.50
7/31/2017	MRB	2.60	325.00	845.00
7/31/2017	RMH	2.00	195.00	390.00

Sub-total Fees:                  3,575.00

Rami Hernandez	12.00 hours at \$ 195.00/hr	2,340.00
Michael Brooks	3.80 hours at \$ 325.00/hr	1,235.00

Brooks Hubley LLP

Page: 2

Total hours: 15.80**Payments**

8/10/2017	Payment	Check No. 00-0200049812	1,007.50
		Sub-total Payments:	<u>1,007.50</u>

<b>Statement Total</b>	3,575.00
<b>Total Payments</b>	1,007.50
<b>Courtesy Discount:</b>	0.00
<b>Total Now Due:</b>	3,575.00

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
3,575.00	0.00	0.00	0.00	0.00

Payment is Due Upon Receipt  
 Tax ID Number: 27-0289494  
 Please Make Checks to Brooks Hubley LLP  
 Please Include Invoice Number on Check

**Brooks Hubley LLP**  
 1645 Village Center Circle Ste. 60  
 Las Vegas, NV 89134

(702) 851-1191

Statement as of August 31, 2017  
 Invoice No: 16267

Silver State Schools Credit Union  
 Tracy Meyer  
 4221 S McLeod Dr  
 Las Vegas, NV 89121

1200-0250: Hogue, Richard B v. Allied Collection Service |BK 01620  
 Case 2:16-cv-01620-JCM-VCF

<b>Professional Fees</b>		Hours	Rate	Amount
8/7/2017	RMH	3.20	195.00	624.00
8/8/2017	RMH	1.10	195.00	214.50
8/10/2017	RMH	1.10	195.00	214.50
8/12/2017	MRB	0.50	325.00	162.50
				Sub-total Fees:
				<u>1,215.50</u>

Rami Hernandez	5.40 hours at \$ 195.00/hr	1,053.00
Michael Brooks	0.50 hours at \$ 325.00/hr	162.50
Total hours:	<u>5.90</u>	

<b>Statement Total</b>	1,215.50
Total Payments	0.00
Courtesy Discount:	0.00
<b>Total Now Due:</b>	<b>4,790.50</b>

**Total Due Aging Statement**

Total Due	Less than 30 Days	30 Days Past Due	60 Days Past Due	90+ days past due
4,790.50	0.00	0.00	3,575.00	0.00

**Brooks Hubley LLP**

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Payment is Due Upon Receipt  
Tax ID Number: 27-0289494  
Please Make Checks to Brooks Hubley LLP  
Please Include Invoice Number on Check

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Kolesar &amp; Leatham

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Draft for Work-In-Process Through 2/20/2018

**Matter ID: 10158-000008**

Draft Seq #

1

Billing Attorney: 229 - Brooks, Michael R.  
 Silver State Schools Credit Union  
 Attn: Tracy Meyer  
 4221 S. McLeod Drive  
 Las Vegas, NV 89121

Bill Format: 9002  
 Billing Cycle: M

**Re: SSSCU adv. Hogue (16-01620)****Billing Comments****Internal Comments**

email invoices to  
 accountspayables@silverstatecu.com and cc  
 jadams@silverstatecu.com

**Billing & Payment Recap**

Total Billed Fees:	1,535.00	Combined Adv. Deposit Bal.:	0.00
Total Billed Costs:	41.00	Fee Adv. Deposit Bal.:	0.00
Total Billed Interest:	0.00	Cost Adv. Deposit Bal.:	0.00
Total Billed Retainer:	0.00	Trust Funds 1:	0.00
Total Collected:	1,576.00	Trust Funds 2:	0.00
Last Bill:	01/05/18	Trust Funds 3:	0.00
Last Payment:	01/19/18	Trust Funds 4:	0.00
Last Write-Off:			

**WIP & A/R Aging****Aging**

As of 2/20/2018	Total	Fees	Cost	Interest	Retainer	0-30	31-60	61-90	91+
WIP	4,625.25	4,598.50	26.75	0.00	0.00	4,625.25	0.00	0.00	0.00
A/R	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Totals</b>	<b>4,625.25</b>	<b>4,598.50</b>	<b>26.75</b>	<b>0.00</b>	<b>0.00</b>	<b>4,625.25</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Fee Recap - Actual Hourly Rate****On Hold****To Bill**

Timekeeper	Hours	Rate	Amount	Hours	Rate	Amount	Hours	Rate	Amount
DRC	14.50	275.00	3,987.50				14.50	275.00	3,987.50
MRB	1.70	325.00	552.50				1.70	325.00	552.50
PAF	0.30	195.00	58.50				0.30	195.00	58.50
<b>Total WIP Fees</b>	<b>16.50</b>		<b>4,598.50</b>				<b>16.50</b>		<b>4,598.50</b>

**Disbursement Recap by Code**

Code	Amount	On Hold	To Bill
28 Document Reproduction	26.75		26.75
<b>Total WIP Costs</b>	<b>26.75</b>		<b>26.75</b>
<b>Total WIP</b>	<b>4,625.25</b>	<b>0.00</b>	<b>4,625.25</b>

**Billing Instructions**

Bill Fees: \_\_\_\_\_ Write off Fees: \_\_\_\_\_ Bill Costs: \_\_\_\_\_ Write off Costs: \_\_\_\_\_

Do Not Bill: \_\_\_\_\_ Apply Advance Deposit: All \_\_\_\_\_ or Other Amount \_\_\_\_\_ Send Statement Only: \_\_\_\_\_

**Fee Detail**

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Kolesar &amp; Leatham

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Draft for Work-In-Process Through 2/20/2018

**Matter ID: 10158-000008****Draft Seq #****1**

<b>Fee ID</b>	<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Task:Act</b>	<b>Hold</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
877939	02/07/18	MRB				0.60	325.00	195.00
877940	02/08/18	DRC				0.80	275.00	220.00
879122	02/08/18	MRB				0.20	325.00	65.00
879125	02/09/18	MRB				0.40	325.00	130.00
879188	02/12/18	MRB				0.20	325.00	65.00
879268	02/13/18	DRC				5.20	275.00	1,430.00
879314	02/13/18	MRB				0.30	325.00	97.50
879364	02/13/18	PAF				0.30	195.00	58.50
879489	02/14/18	DRC				4.40	275.00	1,210.00
879491	02/15/18	DRC				4.10	275.00	1,127.50

**Total Fees      16.50      4,598.50****Disbursement Detail**

<b>Cost ID</b>	<b>Date</b>	<b>Description/Payee</b>	<b>Task:Act</b>	<b>Hold</b>	<b>Amount</b>
2718710	02/07/18	Document Reproduction			2.50
2718712	02/07/18	Document Reproduction			2.50
2718714	02/07/18	Document Reproduction			1.00
2722990	02/08/18	Document Reproduction			0.50
2722992	02/08/18	Document Reproduction			0.50
2722994	02/08/18	Document Reproduction			1.25
2722996	02/08/18	Document Reproduction			2.75
2722998	02/08/18	Document Reproduction			0.50
2723000	02/08/18	Document Reproduction			0.50
2723002	02/08/18	Document Reproduction			0.50
2723004	02/08/18	Document Reproduction			0.75
2723006	02/08/18	Document Reproduction			0.75
2723008	02/08/18	Document Reproduction			0.50

2/20/2018 9:40:37 AM

Kolesar & Leatham  
Draft for Work-In-Process Through 2/20/2018

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<b>Cost ID</b>	<b>Date</b>	<b>Description/Payee</b>	<b>Matter ID: 10158-000008</b>	<b>Draft Seq #</b>	<b>1</b>
			<b>Task:Act</b>	<b>Hold</b>	<b>Amount</b>
2723010	02/08/18	Document Reproduction			0.25
2723012	02/08/18	Document Reproduction			0.50
2723014	02/08/18	Document Reproduction			0.75
2723016	02/08/18	Document Reproduction			1.00
2723018	02/08/18	Document Reproduction			0.50
2723020	02/08/18	Document Reproduction			0.50
2723022	02/08/18	Document Reproduction			0.50
2723024	02/08/18	Document Reproduction			0.50
2723026	02/08/18	Document Reproduction			0.50
2723028	02/08/18	Document Reproduction			0.75
2723030	02/08/18	Document Reproduction			0.25
2725328	02/13/18	Document Reproduction			2.50
2725330	02/13/18	Document Reproduction			0.25
2725840	02/14/18	Document Reproduction			0.75
2725842	02/14/18	Document Reproduction			1.75
2725844	02/14/18	Document Reproduction			0.25
2726402	02/15/18	Document Reproduction			0.25
2726404	02/15/18	Document Reproduction			0.25
2726406	02/15/18	Document Reproduction			0.25
<b>Total Disbursements</b>				<b>26.75</b>	

# KOLESAR & LEATHAM

400 South Rampart, Suite 400  
 Las Vegas, NV 89145-5725  
 (702) 362-7800  
 EIN 88-0229766

February 20, 2018

Silver State Schools Credit Union  
 Attn: Tracy Meyer  
 4221 S. McLeod Drive  
 Las Vegas, NV 89121

Invoice 189434 -

ID: 10158-000008 - MRB  
 Re: SSSCU adv. Hogue (16-01620)  
 For Services Rendered Through 1/5/2018

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Current Fees	1,535.00
Current Disbursements	41.00
Total Current Charges	1,576.00
<b>Total Current Due</b>	<b>1,576.00</b>

### Fee Recap

		Hours	Rate/Hour	Amount
Richard O. Brunner	Paralegal	0.50	145.00	72.50
Michael R. Brooks	Shareholder	4.50	325.00	1,462.50
	<b>Totals</b>	<b>5.00</b>		<b>1,535.00</b>

### Disbursements

Description	Amount
Document Reproduction	24.50
Computerized Legal Research	16.50
<b>Total Disbursements</b>	<b>41.00</b>

### Fees

Date	Atty	Description	Hours	Rate	Amount
10/24/17	MRB		0.30	325.00	97.50
10/25/17	MRB		0.50	325.00	162.50
10/30/17	MRB		0.20	325.00	65.00

**Kolesar & Leatham**

Silver State Schools Credit Union  
 I.D. 10158  
 Re: SSSCU adv. Hogue (16-01620)

February 20, 2018  
 Invoice 189434  
 Page 2

Date	Atty	Description	Hours	Rate	Amount
11/07/17	ROB		0.50	145.00	72.50
11/28/17	MRB		3.20	325.00	1,040.00
12/04/17	MRB		0.30	325.00	97.50
<b>Total Fees</b>			<b>5.00</b>		<b>1,535.00</b>

**Disbursements**

Date	Description	Amount
	Document Reproduction	24.50
	Computerized Legal Research	16.50
<b>Total Disbursements</b>		<b>41.00</b>

## EXHIBIT “D”

EXHIBIT “D”

1 MICHAEL R. BROOKS, Esq.  
2 Nevada Bar No. 007287  
3 DAVID R. CLAYSON, Esq.  
4 Nevada Bar No. 002826  
5 **KOLESAR & LEATHAM**  
6 400 South Rampart Boulevard  
7 Suite 400  
8 Las Vegas, Nevada 89145  
9 Telephone: (702) 362-7800  
10 Facsimile: (702) 362-9472  
11 E-Mail: mbrooks@klnevada.com  
12 dclayson@klnevada.com

13 Attorneys for Defendant,  
14 Silver State Schools Credit Union

15 UNITED STATES DISTRICT COURT

16 DISTRICT OF NEVADA

17 \* \* \*

18 RICHARD B. HOGUE,  
19 Plaintiff,

20 vs.

21 ALLIED COLLECTION SERVICE, INC;  
22 SELENE FINANCE, LLC; MOUNTAIN  
23 AMERICA CREDIT UNION; SILVER  
24 STATE SCHOOLS CREDIT UNION;  
25 IBEW PLUS CREDIT UNION; EQUIFAX  
INFORMATION SERVICES, LLC;  
EXPERIAN INFORMATION  
SOLUTIONS, INC.,

Defendants.

CASE NO. 2:16-cv-01620-JCM-VCF

KOLESAR & LEATHAM  
400 S. Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145  
Tel: (702) 362-7800 / Fax: (702) 362-9472

AFFIDAVIT OF MOVING COUNSEL

STATE OF NEVADA )  
COUNTY OF CLARK ) ss:  
                    )

Affiant, David R. Clayson, Esq., being first sworn, deposes and says, of his own knowledge, as follows:

1. That your affiant is a shareholder with the firm of Kolesar & Leatham who is currently representing the Defendant SILVER STATE SCHOOLS CREDIT UNION in the above-captioned matter;

1       2. Prior to Kolesar & Leatham's representation of the Defendant SILVER STATE  
 2 SCHOOLS CREDIT UNION was represented by the law firm of Brooks Hubley LLP until  
 3 September 11, 2017;

4       3. Attached to this Motion as Exhibit C are true and accurate copies of billing  
 5 statements from both the firms of Kolesar & Leatham and Brooks Hubley LLP for the work  
 6 performed in the defense of the Defendant SILVER STATE SCHOOLS CREDIT UNION in the  
 7 above-captioned matter (except for the blocking out of information describing the legal work  
 8 performed because this reflects attorney work product that the other side should not be allowed  
 9 to see because the Plaintiff has filed a Notice of Appeal);

10      4. That an unredacted version of these billing statements will be provided for this  
 11 Court's review and examination in camera, upon request;

12      5. That the total amount of \$29,488.50 was expended in legal fees for defending the  
 13 claims brought by the Plaintiff against the Defendant SILVER STATE SCHOOLS CREDIT  
 14 UNION which involved filing an answer, engaging in discovery (including attending the  
 15 deposition of the Plaintiff), propounding written discovery upon the Plaintiff and the co-  
 16 defendant EXERIAN INFORMATION SOLUTIONS, INC., disclosing documents and  
 17 witnesses, reviewing the responses to written discovery and disclosures, drafting and responding  
 18 to motions, advising the client with updates of this matter, and other essential tasks for defending  
 19 this matter;

20      6. The Brooks Hubley LLP billing statement of July 31, 2016 was for \$1,162.00; the  
 21 Brooks Hubley LLP billing statement of September 30, 2016 was for \$3,113.50; the Brooks  
 22 Hubley LLP billing statement of October 31, 2016 was for \$1,625.00; the Brooks Hubley LLP  
 23 billing statement of \$583.00; the Brooks Hubley LLP billing statement of November 30, 2016  
 24 was for \$104.00; the Brooks Hubley LLP billing statement of January 31, 2017 was for  
 25 \$2,587.00; the Brooks Hubley LLP billing statement of February 28, 2017 was for \$6,255.50; the  
 26 Brooks Hubley LLP billing statement of March 31, 2017 was for \$715.00; the Brooks Hubley  
 27 LLP billing statement of April 30, 2017 was for \$331.50; the Brooks Hubley LLP billing  
 28 statement of May 31, 2017 was for \$1,081.00; the Brooks Hubley LLP billing statement of June

1 30, 2017 was for \$1,007.50; the Brooks Hubley LLP billing statement of July 31, 2017 was for  
2 \$3,575.00; the Brooks Hubley LLP billing statement of August 31, 2017 was for \$1,215.00;  
3 Kolesar & Leatham billing statement of December 31, 2017 of \$1,535.00; and Kolesar &  
4 Leatham billing statement as of February 20, 2018 of \$4,598.50.

5           7. The work performed as described in the prior paragraph eventually resulted in this  
6 Honorable Court dismissing all claims brought against the Defendant SILVER STATE  
7 SCHOOLS CREDIT UNION:

8        8.      The defense of this matter required knowledge and application of complex federal  
9 litigation, interpretation and understanding of federal statutes and case law interpreting same, and  
10 applying the law to these facts which required skill to perform these legal skills and which  
11 required the attorneys and paralegal involved in this defense to not work on other matters while  
12 they were required to work on this matter;

13       9. The fee in this matter is hourly and is accurately reflected on the attached billing  
14 statements for the attorneys working on this matter;

15       10. The client Defendant SILVER STATE SCHOOLS CREDIT UNION has  
16 employed Michael Brooks, Esq. as its counsel on numerous cases for his knowledge and  
17 expertise of civil litigation and the Fair Credit Reporting Act;

18       11. That the attached portions of the deposition of transcript of the Plaintiff is a true  
19 and accurate copy of said transcript; and

20 Further Affiant sayeth naught.



---

David R. Clayson, Esq.

23 STATE OF NEVADA )  
24 COUNTY OF CLARK ) ss:

Signed and sworn to before me on this 21<sup>st</sup> day of February, 2018, by Affiant David R.  
Clayson.



Christina Colucci